

Attorney Docket No. THED-001/01US



AP7 Rec'd PCT/PTO 21 AUG 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kristen BRIGGS *et al.*

Confirmation No.: 6405

Serial No.: 10/536,875

Group Art Unit: not yet assigned

Filed: May 27, 2005

Examiner: not yet assigned

For: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH REDUCED FUCOSYLATION

U.S. Patent and Trademark Office
Customer Service Window – **Mail Stop PCT LEGAL**
Mail Stop Missing Parts
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL

Enclosed are the following documents in response to the Notification of Defective Response mailed July 20, 2006, for the above-identified application:

- ☒ Request for Clarification
- ☒ Copy of Notification of Defective Response
- ☒ Response to Notification of Missing Requirements filed on May 16, 2006
- copy of the Notification of Missing Requirements filed on May 16, 2006
- ☒ executed Declaration of K. Briggs filed on May 16, 2006
- ☒ executed Declaration of M. Hein filed on May 16, 2006
- ☒ executed Declaration of A. Hiatt filed on May 16, 2006
- ☒ executed Declaration of D. Taylor filed on May 16, 2006
- ☒ executed Declaration of A. Karnoup and W. Kerr Anderson filed on May 16, 2006
- ☒ executed Declaration of J. Roberts, B. Rubin-Wilson, J. Petolino, D. Pareddy and T. Glancy filed on May 16, 2006
- ☒ Petition for Extension of Time (4 months) filed on May 16, 2006
- ☒ Date Stamped post card for May 16, 2006 filing

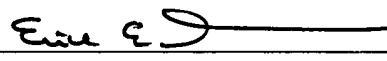
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: August 21, 2006

Respectfully submitted,
COOLEY GODWARD LLP

Cooley Godward LLP
ATTN: Patent Group
The Bowen Building
875 15th Street NW, Suite 800
Washington, DC 20005-2221
Tel: (202) 842-7800
Fax: (202) 842-7899

By:


Erich E. Veitenheimer
Reg. No. 40,420



Attorney Docket No. THED-001/01US

PATENT

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REQUEST FOR CLARIFICATION

In response to the Notification of Defective Response (“Notification”) mailed July 20, 2006, Applicants respectfully request clarification and/or dismissal of the Notification.

The Notification states that:

“The current oath of declaration does not comply with 37 CFR 1.497(a) and (b) in that it: is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.”

It is not clear to the Applicants which of the six (6) declarations which were submitted for this case on May 16, 2006 along with Applicants Response to Notification of Missing Requirements is incorrect. For convenience, we are enclosing a complete copy of our May 16, 2006 filing.

Applicants request that further clarification be given on an reissued Notification of Defective Response or the Notification is dismissed.

Except for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required,

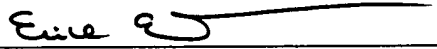
including any required extension of time fees, or credit any overpayment to Deposit Account 50-1283. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: August 21, 2006

Respectfully submitted,
COOLEY GODWARD LLP

Customer No. 58249
Cooley Godward LLP
The Bowen Building
875 15th Street, NW, Suite 800
Washington, DC 20005-2221
(202) 842-7800

By:



Erich E. Veitenheimer
Reg. No. 40,420



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,875	Kristen Briggs	038136-5001-US
INTERNATIONAL APPLICATION NO.		
PCT/US03/37905		
I.A. FILING DATE		PRIORITY DATE
11/28/2003		11/27/2002

09629
MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

CONFIRMATION NO. 6405

371 FORMALITIES LETTER

OC000000019697545*

Date Mailed: 07/20/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Preliminary Amendments filed on 05/27/2005
- Biochemical Sequence Diskette filed on 05/27/2005
- Oath or Declaration filed on 05/16/2006
- Biochemical Sequence Listing filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005
- Priority Documents filed on 05/27/2005
- Power of Attorney filed on 05/16/2006
- Specification filed on 05/27/2005
- Claims filed on 05/27/2005
- Abstracts filed on 05/27/2005
- Drawings filed on 05/27/2005
- Paper nucleotide sequence listings filed on 05/27/2005
- Paper Computer Listings filed on 05/27/2005

Applicant's response filed 05/16/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/16/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,875	PCT/US03/37905	038136-5001-US

FORM PCT/DO/EO/916 (371 Formalities Notice)

PLEASE STAMP AND RETURN TO SHOW RECEIPT/SERIAL NO. OF:

In re Application of: Kristen BRIGGS *et al.*
Serial No.: 10/536,875
Filed: May 27, 2005

Confirmation No.: 6405
Group Art Unit: not yet assigned
Examiner: not yet assigned

For: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH REDUCED
FUCOSYLATION

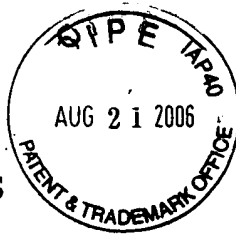
Deposit Account - \$2,220.00 (\$1,590 - 4 mo EOT; \$130 - MP surcharge; \$500 - excess pages)

1. Response to Notification of Missing Requirements
2. Copy of the Notification of Missing Requirements
3. Executed Declaration of K. Briggs
4. Executed Declaration of M. Hein
5. Executed Declaration of A. Hiatt
6. Executed Declaration of D. Taylor
7. Executed Declaration of A. Karnoup and W. Kerr Anderson
8. Executed Declaration of J. Roberts, B. Rubin-Wilson, J. Petolino, D. Pareddy and T. Glancy
9. Petition for Extension of Time (4 months)



Dated: May 16, 2006
Atty. Docket No.: THED-001/01US

Client/Matter No.: 306525-2010
Atty/Secy: EEV/hcw



Attorney Docket No. THED-001/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kristen BRIGGS *et al.*

Confirmation No.: 6405

Serial No.: 10/536,875

Group Art Unit: not yet assigned

Filed: May 27, 2005

Examiner: not yet assigned

For: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH REDUCED
FUCOSYLATION

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401 Dulany Street
Alexandria, VA 22314

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

In response to the Notification of Missing Requirements under 35 USC 371 mailed November 16, 2005, enclosed are:

- ☒ copy of the Notification of Missing Requirements
- ☒ executed Declaration of K. Briggs
- ☒ executed Declaration of M. Hein
- ☒ executed Declaration of A. Hiatt
- ☒ executed Declaration of D. Taylor
- ☒ executed Declaration of A. Karnoup and W. Kerr Anderson
- ☒ executed Declaration of J. Roberts, B. Rubin-Wilson, J. Petolino, D. Pareddy and T. Glancy
- ☒ Petition for Extension of Time (4 months)

and the payment of the following fee(s):

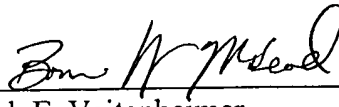
- ☒ Surcharge fee for Late Filing of Declaration of \$130.00
- ☒ Other fees: \$500.00 for 77 pages over previously paid for 200 pages

Total Fee due: \$630.00

- ☒ Please charge \$630.00 to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: May 16, 2006
COOLEY GODWARD LLP
ATTN: Patent Group
The Bowen Building
875 15th Street NW, Suite 800
Washington, DC 20005-2221
Tel: (202) 842-7800
Fax: (202) 842-7899

Respectfully submitted,
COOLEY GODWARD LLP

By:  Reg. 43,255
For Erich E. Veitenheimer
Reg. No. 40,420



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

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TALBIDA

U.S. APPLICATION NUMBER NO. 10/536,875	FIRST NAMED APPLICANT Kristen Briggs	ATTY. DOCKET NO. 038136-5001-US
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INTERNATIONAL APPLICATION NO.

PCT/US03/37905

I.A. FILING DATE

11/28/2003

PRIORITY DATE

11/27/2002

CONFIRMATION NO. 6405

371 FORMALITIES LETTER



OC000000017456385

09629

MORGAN LEWIS & BOCKIUS LLP
 1111 PENNSYLVANIA AVENUE NW
 WASHINGTON, DC 20004

Date Mailed

Case

Due Date

Action

By

Chk

Date Mailed: 11/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Preliminary Amendments filed on 05/27/2005
- Biochemical Sequence Diskette filed on 05/27/2005
- Biochemical Sequence Listing filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005
- Priority Documents filed on 05/27/2005
- Specification filed on 05/27/2005
- Claims filed on 05/27/2005
- Abstracts filed on 05/27/2005
- Drawings filed on 05/27/2005
- Paper nucleotide sequence listings filed on 05/27/2005
- Paper Computer Listings filed on 05/27/2005

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MORGAN, LEWIS & BOCKIUS LLP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

ENTERED

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$630 for a Large Entity:

- **\$130 Surcharge.**

- The fee for submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes \$500 for 77 pages in excess of 200 pages for a large entity.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,875	PCT/US03/37905	038136-5001-US